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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/482,598	01/13/2000	Terry Michael Bleizeffer	3000.2.14	7219

7590 - 06/05/2002  
Kory D. Christensen  
Madson & Metcalf  
15 West South Temple  
Suite 900  
Salt Lake City, UT 84101

EXAMINER

ROBINSON, GRETA LEE

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 06/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/482,598

Applicant(s)

BLEIZEFFER ET AL.

Examiner

Greta Robinson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 January 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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### **DETAILED ACTION**

1. Claims 1-41 are pending in the present application.

#### ***Oath/Declaration***

2. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

Non-initialed and/or non-dated alterations have been made to the oath or declaration. See 37 CFR 1.52(c).

#### ***Drawings***

3. The drawings are objected to because a descriptive label is need for the following elements: figure 1 elements 18, 12, 14, and 36. See 37 CFR 1.84(o). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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5. Claims 5-9, 18-22 and 32-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 5, the following limitation is vague and/or unclear: “*wherein at least one group comprises a package, each package corresponding to one application program posing queries to the database*” [see claim 5 lines 1-3]. The connection between the group (i.e. query statements) and a package is unclear. How can query statements comprise a package?

The limitations of claim 18 and 32 parallel claim 5; therefore they are rejected under the same rationale [see: claim 18 lines 1-3; and claim 32 lines 1-3]. Claims 6-9, 19-22, and 33-36 are rejected based on dependency.

Regarding claims 1, 14 and 28 the following limitation lacks proper antecedent basis: “*the filtering criteria*” [see claim 1 lines 10-11; claim 14 line 8; and claim 28 line 10].

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over VanderDrift US Patent 5,455,945 in view of Touma et al. US Patent 5,809,266.

Regarding claim 14, **VanderDrift** teaches, a method for filtering a plurality of groups of query statements according to identification data associated therewith, each group corresponding to one or more application programs posing queries to a database, the method comprising:

receiving one or more user-specified filtering criteria directed to a subset of the identification data [note: *filter definition* figure 19B; col. 12 lines 8-20; col. 11 line 55 through col. 12 line 62]; and

applying the filtering criteria to selectively exclude those of the plurality of groups not satisfying the filtering criteria [see: abstract; figure 4A, fig. 19C; col. 1 lines 1-15; col. 2 lines 25-48; col. 7 lines 44-58; and col. 20 lines 1-33].

Although VanderDrift teaches the invention substantially as cited above, he does not specifically teach groups correspond to one or more applications. **Touma et al.** teaches a *Group Manager* (412) that allows for this feature. Touma et al. "allows the use of multiple queries each

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containing one or more break groups and cross product groups where groups belonging to two different queries are connected by link objects” [note: abstract; also see figure 4; col. 13 line 65 through col. 14 line 7]. It would have been obvious to one of ordinary skill at the time of the invention to have combined the cited references because the group manager of Touma et al would enhance VanderDrift’s system ability group data.

8. Regarding claim 15:

receiving a user selection of one or more of the groups not excluded by the filtering criteria for selectively filtering the query statements associated with the selected groups according to user-defined filters of query explain data [VanderDrift, figure 6A step (132, 136), figure 19B note filter rules; col. 7 lines 44-59; col. 12 lines 8-20].

9. Regarding claim 16:

data selected from the group consisting of owner data, name data, collection ID data, and version data [VanderDrift, note ability to define filtering parameters figure 4A-4C and figure 19B-19C].

10. Regarding claims 17- 22 note VanderDrift:

(Claim 17) obtaining the identification data for at least one group from a database catalog [col. 20 lines 1-33].

(Claim 18) The method of claim 14, wherein at least one group comprises a package, each package corresponding to one application program posing queries to the database [fig. 19B-19E].

(Claim 19) The method of claim 18, wherein the identification data comprises an

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owner of each package, the filtering step comprising:

filtering a plurality of packages according to at least one package owner specified in the filtering criteria [col. 7 lines 44-58; figure 19B and 19E].

(Claim 20) The method of claim 18, wherein the identification data comprises a name of each package, the filtering step comprising:

filtering a plurality of packages according to at least one package name specified in the filtering criteria [col. 7 lines 44-58; figure 19B and 19E].

(Claim 21) The method of claim 18, wherein the identification data includes a collection ID to which at least one package belongs, the filtering step comprising: filtering a plurality of packages according to at least one collection ID specified in the filtering criteria [figure 19F].

(Claim 22) The method of claim 18, wherein the package identification data includes a version of each package, the filtering step comprising: filtering a plurality of packages according to at least one package version specified in the filtering criteria [col. 13 lines 57-65; fig. 19E].

11. Regarding claim 23: The method of claim 14, wherein at least one group comprises a plan, each plan corresponding to one or more application programs [VanderDrift, col. 7 lines 44-48; col. 4 lines 1-51].

12. Regarding claims 24-26:

(Claim 24) The method of claim 23, wherein the identification data includes an

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owner of each plan, the filtering step comprising:

filtering a plurality of plans according to at least one plan owner specified in the filtering criteria [VanderDrift, figure 4A].

(Claim 25) The method of claim 23, wherein the identification data includes a name of each plan, the filtering step comprising:

filtering a plurality of plans according to at least one plan name specified in the filtering criteria [VanderDrift, figure 1 (42)].

(Claim 26) The method of claim 23, wherein the identification data includes a database request module (DBRM) name for each plan, the filtering step comprising:

filtering a plurality of plans according to at least one DBRM name specified in the filtering criteria [VanderDrift, figure 19D and 19E].

13. Regarding claim 27:

displaying to a user those of the plurality of groups not excluded by the filtering criteria [VanderDrift, figure 1 (14) also note abstract].

14. The limitations of claims 1-13 and 28-41 parallel claims 14-27; therefore they are rejected under the same rational.

### ***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.



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**Lindsay et al.** US Patent 5,960,428

**Larson** US Patent 6,115,705

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greta Robinson whose telephone number is (703) 308-7565. The examiner can normally be reached Monday through Friday from 9:30 AM to 6:00 pm. If any attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached at (703)305-9790.

**Any response to this action should be mailed to:**

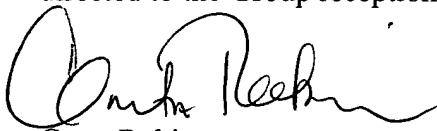
Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703)746-7239, (for formal communications; please mark "EXPEDITED  
PROCEDURE") or (703)746-5657, (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.



Greta Robinson

May 31, 2002

**Attachment for PTO-948 (Rev. 03/01, or earlier)**  
**6/18/01**

**The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.**

**INFORMATION ON HOW TO EFFECT DRAWING CHANGES**

**1. Correction of Informalities -- 37 CFR 1.85**

New corrected drawings must be filed with the changes **incorporated** therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

**2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.**

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

**Timing of Corrections**

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.